

Supplemental Examiner's Amendment

A supplemental examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Davin Chin, Reg. No. 58,413 on September 29, 2010. The Examiner's Amendment filed August 30, 2010 is maintained except the replacement of claim 21.

The application is amended as follows:

Claims

Please replace claim 21 starting on page 8 in the Examiner's Amendment filed August 30, 2010 with the following claim:

21. (Currently Amended) A content delivery system, comprising:

a processor; and

a memory, wherein the system is configured to:

~~means for~~ periodically ~~query~~ querying a database for multiple playlists, wherein a playlist ~~of the multiple playlists~~ is associated with multiple content items;

~~means for receiving~~ receive the multiple playlists from the database;

~~means for locally store~~ storing content items;

~~means for analyzing~~ analyze the received multiple playlists to determine which of the multiple content items that are already stored ~~by the means for locally storing content items~~ or are content items to be retrieved from one or more content sources;

Art Unit: 2445

~~means for retrieving~~ retrieve the content items to be retrieved from the one or more content sources;

~~means for concatenating~~ concatenate associated content items into a first stream for at least a first playlist;

~~means for receiving~~ receive a request for the first stream;

~~means for delivering~~ deliver the first stream to at least one distribution point in response to the request; request for delivery from the distribution point to at least one client terminal; and

wherein if retrieval of new content items associated with the first playlist is disrupted, the system is further configured to:

~~means for continuing~~ continue to advance through the first playlist for at least the first stream;

~~means for caching~~ cache a first content item of the first playlist into memory prior to reaching a last content item of the first playlist;

~~means for repeating~~ repeat at least the first content item of the first playlist in the first stream after the last content item of the first playlist is reached; and

~~means for delivering~~ deliver the first stream containing the repeated at least one of the content items to the at least one distribution point for delivery to the at least one client terminal.

Allowable Subject Matter

The following is an examiner's statement of reasons for allowance:

Prior of art of record teach of delivering a stream by retrieving files associated with a playlist to a requesting user (e.g. Rothman et al. US Publication No. 2001/0044851); creating a composite media stream by joining collected data segments and delivering the composite stream

Art Unit: 2445

to a client (e.g. Lambert et al. US Publication No. 2005/0114529); and requesting files from a playlist (e.g. Ireton, US Patent No. 7,043,479, Ching et al. US Patent No. 7,222,354).

However, the prior of art record does not teach, suggest, or make obvious the claimed invention of: periodically querying a database for multiple playlists, wherein a playlist of the multiple playlists is associated with multiple content items; receiving the multiple playlists from the database; locally storing content items; analyzing the received multiple playlists to determine which of the multiple content items are already stored locally or are content items to be retrieved from one or more content sources; retrieving the content items to be retrieved from the one or more content sources; concatenating associated content items into a first stream for at least a first playlist; receive a request for the first stream; delivering the first stream to at least one distribution point in response to the request for delivery from the distribution point to at least one client terminal; and wherein if retrieval of content items associated with the first playlist is disrupted, continuing to advance through the first playlist for at least the first stream; caching a first content item of the first playlist into memory prior to reaching a last content item of the first playlist; repeating at least the first content item of the first playlist in the first stream after the last content item of the first playlist is reached; and delivering the first stream containing the repeated at least one of the content items to the at least one distribution point for delivery to the at least one client terminal.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Art Unit: 2445

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua Joo whose telephone number is 571 272-3966. The examiner can normally be reached on Monday to Friday 8AM to 5PM.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Joshua Joo/
Examiner, Art Unit 2445